

AFFIDAVIT

I, Luke Holdbrook, being duly sworn, declare and state as follows:

I. INTRODUCTION

1. I have been a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI") since September 2019. I received specialized training in conducting criminal investigations at the FBI Academy such as interview and interrogation, case management, surveillance techniques, fundamentals of law and ethics, and report writing. In March 2020, I was assigned to the FBI Los Angeles Inland Empire Safe Streets Task Force ("Task Force"), a joint federal and state gang task force in Riverside, CA. In that capacity, I investigated, among other things, criminal street gangs, drug trafficking, and firearm violations. Since February 2022, I have been assigned to the Salt Lake City Division, Billings Office, Indian Country Team, assigned to the Crow and Northern Cheyenne Indian Reservations, investigating violent crimes. My education includes a bachelor's degree in Intelligence Studies from the American Military University.

2. As a federal agent, I am an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7). I am authorized to investigate violations of laws of the United States and as a law enforcement officer I am authorized to execute warrants issued under the authority of the United States.

II. PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of a warrant to search the outside yard and driveway surrounding the residence located at 3288 Crow River Road, Crow Agency, Montana, for bullets, shell casings, blood, firearms, and retrieve video surveillance camera footage from January 18, 2023, from cameras mounted outside of the residence at 3288 Crow River Road, Crow Agency, Montana, for evidence of violation of Title 18, United States Code, Sections 1153(a), 1111 (Second Degree Murder.

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not purport to set forth all of my knowledge of the investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

III. STATEMENT OF PROBABLE CAUSE

A. Background

5. On January 18, 2023, while on-call as the Indian Country Special Agent assigned to the Northern Cheyenne and Crow Indian Reservations, I was contacted by Bureau of Indian Affairs (BIA) Special Agent Jose Figueroa about a gunshot victim arriving at the emergency room at the IHS Crow/Northern Cheyenne Hospital in Crow Agency, Montana. The gunshot victim, Victor THREEIRONS,

was pronounced dead upon arrival at IHS. THREEIRONS had been transported to IHS in a black SUV driven by Micha LAFORGE. LAFORGE told BIA law enforcement officers that she was driving northbound on the I-90 frontage road between Crow Agency and the Dunmore exit and saw a person lying in the road. LAFORGE knew the person lying in the road as Victor THREEIRONS. LAFORGE stopped and loaded THREEIRONS into the passenger side of her SUV and drove directly to IHS.

B. LAFORGE takes law enforcement to location where she found THREEIRONS.

6. BIA Officer Tia Buffalo transported LAFORGE in a marked BIA vehicle to the location on the I-90 frontage road where LAFORGE said she picked up THREEIRONS. Officer Buffalo, BIA Special Agent Shawn Smith, and your affiant looked for evidence at the location where LAFORGE picked up THREEIRONS. No evidence was found on the road or in the barrow pit. LAFORGE told your affiant that she did not know how THREEIRONS got there and had not seen THREEIRONS for three months.

C. Video footage of fight between Victor THREEIRONS and Garrell SNELL.

7. At IHS, Prince Threeirons showed your affiant a video on his phone that was sent to him by Berry Whiteman. The video showed a fight between two men ending in one of the men being knocked unconscious. Prince Threeirons knew the men as Victor Threeirons and Garrell SNELL. Prince Threerions contacted Whiteman to obtain his phone number for your affiant. I called called Whiteman and asked details about the video. Whiteman told

me that on January 18, 2022, Whiteman was doing construction work across the street from the location where the fight happened and recorded the fight on his cell phone. The address where the fight occurred was 319 Plentyhawk Drive, Crow Agency Montana. Whiteman knew the two men in the fight as Victor THREEIRONS and Garrell SNELL. WHITEMAN said THREEIRONS knocked SNELL unconscious and SNELL was lying in the driveway for about ten minutes before he woke up, got into a black SUV, and drove away. Before SNELL awoke, WHITEMAN saw THREEIRONS leave the driveway and walk north on the street toward the water tower.

D. Arrest and interview of Garrell SNELL

8. BIA and FBI law enforcement personnel located SNELL at his residence, 3367 Highway 313, Hardin, Montana, within the Crow Indian Reservation, and arrested him on unrelated tribal warrants. SNELL was transported to the BIA Police Department in Crow Agency, Montana, where he was first provided his *Miranda* rights and then interviewed by your affiant and BIA Special Agent Jose Figueroa. SNELL told interviewing agents that he wanted to marry LAFORGE. When SNELL was in jail, he heard THREEIRONS and LAFORGE were messing around.

9. SNELL said that he was at 319 Plentyhawk Drive, Crow Agency, Montana earlier that day and got into a fight with THREEIRONS, and THREEIRONS knocked him out. After the fight was over, SNELL and LAFORGE drove his black SUV to Avis Prettypaint's house on Crow River Road. THREEIRONS showed up there on a small red motorcycle. SNELL's girlfriend also showed up in a black Denali. SNELL and THREEIRONS were verbally

fighting in the driveway when THREEIRONS walked to the black Denali and grabbed a pistol from the storage compartment on the driver's side door. SNELL tried to get the pistol away from THREEIRONS by placing THREEIRONS in a bear hug. THREEIRONS was facing him. SNELL had THREEIRON'S hand that was holding the pistol bent behind THREEIRONS back. SNELL had his finger over the top of THREEIRONS trigger-finger and SNELL pressed his finger to try and shoot off the rounds before THREEIRONS could shoot him. Both of them ended up on the ground and SNELL pressed the trigger a few more times firing three to four more rounds. SNELL thought eight or nine rounds total were fired. He was trying to fire the bullets away from them but they must have ricocheted and hit THREEIRONS because his body went limp. SNELL loaded THREEIRONS' body in the passenger side of SNELL's black SUV and told LAFORGE to take him to the hospital. After LAFORGE left, SNELL stayed at that house for about 45 minutes expecting the police to show up. After waiting for a period of time, SNELL said he had a couple drinks and got a ride to his house near Hardin.

Snell stated that he left the empty pistol, magazine, and spent shell cases on the ground at the site of the shooting.

E. Search and interviews at Prettypaint's house.

10. Around 11:00 p.m., on January 18, 2023, FBI and BIA personnel obtained consent from Avis Prettypaint to search the property around her home. No evidence of a shooting was found, such as blood, spent shell cases, or firearms. Prettypaint said that she never saw anyone besides THREEIRONS at her house, and

that THREEIRONS was at her home at about 3:00 p.m. He then left on a motorcycle. Shawn Iron lives at Prettypaint's home. Iron returned home while agents were searching the area. Iron said that he never saw either SNELL or LAFORGE at his house that day. Both Prettypaint and Iron denied hearing gunshots at any point that day.

F. Autopsy preliminary results.

11. On the morning of January 19, 2023, Dr. Willy Kemp performed an autopsy on THREEIRONS. Dr. Kemp told your affiant that THREEIRONS had been struck by four bullets: one grazed the victim's back, one struck the left shoulder and travelled downwards before exiting from the mid-back, one entered the mid-back from behind, and one entered the lower back from the side. No stippling or powder burns, consistent with a contact or close-range gunshot, were observed on THREEIRONS' skin or clothing, which is not consistent with Snell's description of the shooting.

G. LAFORGE Interview.

12. On the morning of January 19, 2023, LAFORGE contacted BIA Victim Specialist Devaney Buffalo and told her that she wanted to tell the true story to law enforcement about what happened to THREEIRONS. BIA Special Agent Figueroa and your affiant met with LAFORGE at the courthouse in Hardin, Montana. LAFORGE explained that she did not tell the truth the day before to your affiant about what happened to THREEIRONS because she was scared of SNELL. LAFORGE stated that SNELL picked her up in Billings earlier that day (January 18, 2023) in his black SUV.

They drove from Billings to SNELL's house near Hardin and SNELL grabbed a duffel bag full of clothes. They drove to upper housing in Crow Agency and pulled into a driveway. LAFORGE stayed in the vehicle. After a bit, someone told her SNELL had been in a fight and she needed to get out of the vehicle and help him. LAFORGE helped SNELL get in the front passenger seat. She had to lay the seat back because SNELL's leg was hurt really badly. SNELL did not want to go to the hospital because of his outstanding warrants.

13. LAFORGE drove them to Ammon Prettypaint's house on Crow River road (3288 Crow River Road, Crow Agency, Montana). When they were pulling into the driveway, LAFORGE saw Ammon Prettypaint sitting in the passenger side of a blue car. LAFORGE stayed in the black SUV by herself and listened to music. After she had been there for a while, SNELL yanked open the driver's side door of the black SUV and pushed LAFORGE into the backseat. SNELL drove a short distance toward the yard and LAFORGE saw THREEIRONS lying on the ground. Ammon Prettypaint drug THREEIRONS' body over to the passenger side of the black SUV, laid the front seat back, and loaded THREEIRONS into the SUV. SNELL grabbed his phone out of the SUV and told LAFORGE to take THREEIRONS to the hospital. LAFORGE drove directly to IHS.

14. BIA law enforcement personnel stationed in Crow Agency, Montana, have seen multiple outward-facing security cameras that point toward the area of his residence where LAFORGE said they drove and loaded THREEIRONS body. BIA Special Agent Figueroa personally observed and photographed at least two

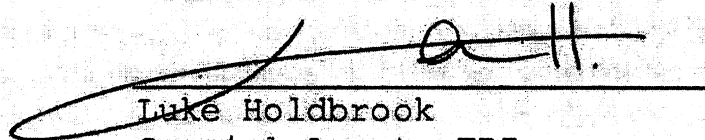
such cameras. One of the cameras is pointing directly at the area where LAFORGE saw THREEIRONS' body.

15. LAFORGE reported to law enforcement that she has personally seen Ammon's security system, and that she believes the system would have captured footage of the shooting.

CONCLUSION


16. For all the reasons described above, your affiant believes that there is probable cause to believe that evidence of second-degree murder will be found in the yard and driveway, and on surveillance video cameras located at 3288 Crow River Road, Crow Agency, Montana.

Respectfully submitted,



Luke Holdbrook
Special Agent, FBI

Sworn to before me over the telephone and signed by me pursuant to Federal Rules of Criminal Procedure 4.1 and 4(d) on the 19 day of January, 2023.



TIMOTHY J. CAVAN
United States Magistrate Judge